

RANDAZZA LEGAL GROUP, PLLC

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Attorney for Defendant

Amy Frank

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA
PHOENIX DIVISION**

Richard C. Carrier, Ph.D.,
an individual,

Plaintiff,

v.

Amy Elizabeth Frank,
an individual,

Defendant.

Case No.: 2:19-CV-02719-JJT

**MOTION TO DISMISS PURSUANT TO
FED. R. CIV. P. 12(b)(1) and 12(h)(3)**

ORAL ARGUMENT REQUESTED

Pursuant to Fed. R. Civ. P. 12(b)(1) and 12(h)(3), Defendant Amy Elizabeth Frank moves to dismiss this matter for lack of subject matter jurisdiction. Carrier's recent filing shows his claim fails to meet the amount in controversy requirement under 28 U.S.C. § 1332(a). In support, Defendant

1 refers to the accompanying memorandum of points and authorities and
2 exhibits, filed herewith.

3 WHEREFORE Defendant respectfully requests this matter be dismissed
4 for lack of subject matter jurisdiction.

5
6 Dated this 18th day of June 2019.

7 Respectfully Submitted,

8 RANDAZZA LEGAL GROUP, PLLC

9 /s/Marc J. Randazza

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14 *Attorney for Defendant*

15 *Amy Elizabeth Frank*

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 18, 2019, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I further certify that a true and correct copy of the foregoing document is being served via transmission of Notices of Electronic Filing generated by CM/ECF.

Respectfully Submitted,

/s/Tennyson J. Fauver
Employee,
Randazza Legal Group, PLLC

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